



Cell Phone Law Fact Sheet

Signed Into Law July 6, 2010: HS 1 for HB 229 (w/HA 2, 3, 4, and SA1, SA1 to SA 1, SA's 3 & 5), HB 493, HB 494 (w HA 1).

- This law **bans texting while driving** and **bans the use of hand-held cell phones** – meaning a hands-free device would be required to talk on a cell phone while driving. However drivers will be allowed to pick up the phone to dial a phone number or to activate or deactivate their wireless equipment...then they must put the phone down.
- It also **bans the use of pagers, PDAs, BlackBerry devices, laptops, games or portable computers, and two-way communication devices while driving.**
- Drivers **cannot browse wirelessly or read, write or send messages** while driving.
- It is a **primary offense and a civil penalty.** No points are assessed.
- The fine for the first offense is **\$50.00** and subsequent penalties are **between \$100 and \$200 dollars.**
- **Exemptions:**
 - Law enforcement, firefighter, EMS technician, or other operators of authorized emergency vehicles in the performance of their official duties
 - Anyone reporting an emergency
 - Exempts a person driving or operating a farm tractor, non-registered farm truck or farm equipment
 - HAM radio operators
 - Business or government employees who use a two-way radio mounted or attached to a motor vehicle to communicate with a central dispatch, base of operation or with other employees (ie: utility companies and DelDOT).
- This law becomes effective 180 days from date of bill signing (**January 2, 2011**) to provide for **public awareness efforts.**
- Twenty-nine other states plus D.C. & Guam ban texting. Of those states, seven plus D.C. & the Virgin Islands also ban the use of hand-held cell phones – Delaware will be the 8th. No state completely bans the use of cell phones.
- Delaware State Police cite **230 crashes in 2009** that involved the use of a cell phone as a distraction. To date in 2010, **94 crashes** have involved the use of a cell phone and another **17 have involved texting** as the distraction.
- National research shows that drivers using cell phones are **four times more likely** to get into crashes serious enough to cause injury.